

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, OCTOBER 15, 2002

Chair Mathewson called the meeting to order at 7:03 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Mathewson, Gibson, Feierbach, Frautschi

Absent, Commissioners: Wiecha, Parsons, Torre

Present, Staff: Community Development Director Ewing (CDD), Principal Planner de Melo (PP), Associate Planner Swan (AP), City Attorney Savaree (CA), Zoning Technician Froelich (ZT), Recording Secretary Flores (RS)

2. AGENDA STUDY SESSION: None

AGENDA AMENDMENTS: Item 7A, Zoning Ordinance – Design Review/Study Session - Postponed to next meeting.

4. COMMUNITY FORUM (Public Comments): None

5. CONSENT CALENDAR:

A. Minutes of August 20, 2002

MOTION: By Commissioner Gibson, seconded by Commissioner Feierbach, to approve the Minutes of August 20, 2002, as corrected.

Motion passed 4/0/3

Minutes of September 27, 2002

MOTION: By Commissioner Gibson, seconded by Chair Mathewson, to approve the Minutes of September 17, 2002.

Motion passed 2/1/3. Commissioner Frautschi abstained.

6. PUBLIC HEARINGS:

A. 1144 VILLAGE DRIVE - To consider a Conditional Use Permit for a 928-square-foot addition to an existing 2,040 square-foot town home located within the Village Town Home Planned Development. (Appl. No. PA2002-0033); APN: 045-521-020; Zoned: PD (Planned Development)

CEQA Status: Exempt per Section 15301(e)(2); Brian Howell (Applicant/Owner)

AP Swan summarized the staff report, noting that the item was continued from the October 1, 2002 meeting to allow staff to provide additional background information on the project. Staff believes that the required findings can be made and recommended approval with revised conditions of approval.

CDD Ewing clarified for the Commission how staff determined that the item should be processed as a CUP and stated his belief that the code supports that processing.

C Feierbach thought that, at the last meeting, staff was asked to return with language for a resolution in case the Commission decided to deny the project. CDD Ewing: responded that the motion to continue the item had been based on the request for more information on the larger project.

C Gibson confirmed with AP Swan that the estimated 50 cubic yards of soil to be taken out is in addition to the 80 yard that have already been excavated. Responding to C Gibson's question as to how staff could determine that the home remains a single-family residence, staff stated that the addition of separate cooking facilities would require a number of permits that the City would review. C Gibson asked the City Attorney if the CC&Rs for the development prohibit the proposed type of remodeling. CA Savaree responded that an item on page 17 of the CC&Rs prohibits use of a basement as a residence, and she and staff determined that this addition is not a basement. She added that CC&Rs are a private contract to which the City is not a party.

Alvin Goeff, principal engineer with Bay Spring Custom Builders who did the structural calculations and design for the project, was available to answer concerns the Commission may have regarding the structural integrity or structural safety of the project. C Feierbach asked if this project were to be denied, could the dirt that has already been removed be recompact or reengineered so as not to create any problems. Mr. Goeff responded that the project was abandoned at a point where the dirt removed had no bearing on the structural integrity of the building whatsoever. He said it was removed to a point that the hydrostatic pressures that would impact the current foundation were totally safe and intact and that the geological study would confirm that. Chair Mathewson asked about the impact of the additional 50 cubic yards that would have to come out. Mr. Geoff responded the project is designed so that they can remove partial segments of that soil and reinforce the structure, adding to the foundation of the building in segments as they go along, leaving some of the fill in place while they deal with the other areas. Once the new segments of the foundation are in place he will come back and remove the remaining dirt and complete the foundation of those areas. C Gibson asked if shoring would be required during construction. Mr. Geoff replied that there would be very little, and to this point in the study they haven't found that any cribbing is necessary but they stand ready to do so should it be required.

Brian Howell, applicant, stated that, whether the project is approved or denied and if the Commission feels it is not safe, he would prefer to reinforce the townhouse with a beam or series of pillar supports rather than packing in dirt to help stabilize the structure.

Chair Mathewson opened the public hearing.

Therese Curotto, 8201 Shorebird Circle, Redwood Shores, spoke in support of the Howells from a personal point of view, stating that this is their life and they would have to leave California if they can't make this addition.

Amy Gettle, 1158 Village Drive and member of the Tudor Village Homeowner's Association Board, asked if more dirt would need to be dug out for the window in the bedroom in front of the house. Mr. Geoff responded that the fenestration of the front bedroom was redesigned by the architect several times – the early designs required removal of additional soil in the area and perhaps one tree. That seemed to have been very cost prohibitive so it was redesigned so that the trapezoidal effect agrees with the incline of the soil; there will be no soil removed and the window is sufficient for egress in the event that is required.

MOTION: By Commissioner Frautschi, seconded by Commissioner Mathewson, to close the public hearing. Motion passed.

C Gibson stated that he could not see any effect on the neighborhood outside of the development and would give a lot of weight to what the homeowners in the development have said. He did not like the message it sends – i.e., that is acceptable to start working illegally and then come to the Commission for review with no penalty – but he was prepared to support the project.

C Feierbach stated that she felt the same as she felt at the last meeting – she still could not make Findings A or D.

C Frautschi stated that he had spent a lot of time looking at the project and the additional information provided by staff helped him pick through exactly what he felt was the original intent of the developers when they proposed this Planned Development Unit. His conclusions were as follows:

In defense of the original purpose and intent of the original planned development, the original Negative Declaration of September 17, 1979 states that the project description is to include residential units in size from 1800 to 2430 sq. ft, not with the additional 968 sq. ft. that the applicant proposes.

The Concept Plan on page 1 which was filed for the PD rezoning answered the question as to why they did not excavate under the applicant's lot when it was built. It stated that the larger lots are provided so that grading could be minimized. In the Significant Environmental Effects and Mitigation Measures section of the Staff Report and Initial Study dated September 17, 1979 on page 2 it was stated under Topological Alterations that "Excavation will be required to develop the subject site. However, major topographic features such as the spur ridge between lots 2 and 3, and the backdrop of hills, would be retained or recontoured to match the adjacent existing slope." C Frautschi pointed out that this unexcavated area refers specifically to the applicant's property which is lot 2, and the spur ridge that extends under his house is what he has been excavating.

In defense of the PUD, in the Initial Study and Staff Report of 1979, when they looked at various alternatives on page 3, the alternative of the proposed project that was chosen, the project is consistent with the City policy to reduce potential density in Belmont, and the final statement on page 5 of the justification states that "Under this PUD zoning, the density will be less than half..."

C Frautschi stated that he personally felt that he would be granting a special privilege for this applicant if he voted for this CUP. With the history of applicant's actions and, though his violation of the CC&Rs is none of the Commission's concern, he has violated the permitting process of the City and the PUD. He was not willing to go back and amend the Village Townhome planned development to make this applicant's project right. He felt that consideration of the Association's rules and, more importantly, those of the City, were clearly ignored by the applicant in his desire to achieve his renovation goals and wondered what the Commission would or could say to someone who might attempt to follow the example of this project. He could not approve this project since he felt he would be granting the applicant a special privilege.

Finally, he would have to deny the project because he could not find for Finding D, since he felt it would in fact adversely affect the property in the vicinity or the general welfare of the City as it is currently done and would potentially do in the future.

Mr. Howell wanted to make it clear that he had surpassed the outreach requirements and he had held a second meeting for the purpose of giving information because he felt that if people knew more about the project it would not be as big a deal. He reiterated that it was a secret ballot at the meeting. He mentioned that his FAR is not going to be atypical – if anything, it falls in either the middle or lower 50% of all the units. He feels that he has already been penalized for about a year and a half – the project has been stopped and they have had to do quite a bit of expensive reports. He stated that he knows there is no excuse for what they did but they were having a lot of problems finding out what was wanted. It took 6 or 7 months to get the requirements from the City, whereas today it is 100% better as you can pick up all of the requirements in one place. It took them two months after the work stoppage in October to find out what needed to be done. It took all the way till the middle of December before they got any idea of what they were supposed to do in writing.

Chair Mathewson agreed with some of what C Frautschi said and that there are times that we have to do things that we don't necessarily want to do. He agreed with what Commissioner Gibson said about going ahead and doing something and then getting the approvals later. He does not think the system can work that way and did not think the Commission could send that message.

MOTION: By Commissioner Feierbach, seconded by Commissioner Frautschi, to deny the application for a Conditional Use Permit at 1144 Village Drive. The basis for the denial is the inability to make Finding D due to the belief that an adverse effect on neighboring properties would be created by the fact that a precedent would be set allowing for units that are larger than were initially proposed and approved.

Ayes: Feierbach, Frautschi, Mathewson

Noes: Gibson

Absent: Torre, Parsons, Wiecha

Motion to Deny Passed 3/1/3

CDD Ewing stated that staff will prepare a resolution based on the motion for the Consent Calendar at the next meeting. C Mathewson noted that the item will be appealable after that meeting.

B. 1131 ACADEMY AVENUE – To consider a Single-Family Design Review to add a 927- square-foot addition to an existing 2,017-square-foot single-family residence for a total of 2,944 square feet that is below the zoning district permitted 3,500 square feet; (Appl. No. 2002-0019); APN: 044-302-050; Zoned: R-1C (Single Family Residential); CEQA Status: Exempt; Michael Nibbi (Applicant/Owner)

ZT Froelich summarized the staff report, recommending approval.

C Feierbach noted that the setback of this addition would be at the most 15', and asked if staff had considered compatibility with the setbacks of every other house on the street. PP de Melo replied that staff did look at this issue in terms of meeting the specific six findings. The applicant's main design change for this project was more to preserve the single-story character for this home. A two-story addition would probably have kept them outside of that 15-foot area but they worked with neighbors and did not want it to be a view issue. He added that the code allows you to go to 15 feet and the applicant was careful in their analysis to follow the code relative to all of the design standards and all of the requirements. C Feierbach also expressed concern about the single-car garage since by minimizing the front setback and pushing the house forward by 15 feet there will be even less room for cars. PP de Melo responded that the code section that was adopted last year required that more than one bedroom be added in order to require an upgrade to a two-car garage.

Referring to Section 9.7.4 of the Belmont code, C Frautschi asked staff to confirm that the formulas were done for this front setback, because it seems to directly apply to houses in this neighborhood about how one determines what the front setback would be. PP de Melo responded that there is a public right-of-way area of 50' and a centerline measurement 25' in from that centerline measurement, which results in 25' coming in toward this home as well as a 15' front setback. That 40' does come into play and was evaluated. Frautschi understood the code to say that you have to look at all of the houses on that side of the street in order to take an average of what the minimum setback would be. He wanted to make certain that having done that, staff is confirming that it is 15' because there's no other house that is even close to 15' on that side of the street.

C Feierbach asked if a house jutting out beyond the others constitutes disruption of an existing public view. C Gibson recalled that public view was defined as long-range views of ridges and hills, etc.

Staff requested time to locate the definition in the General Plan and research the front setback question in the code. Chair Mathewson called for a recess at 8:00 p.m. Meeting resumed at 8:06 p.m.

CDD Ewing read from page 322 of the General Plan Conservation Element, Policy #12. He felt that view protection in the General Plan is focused on longer-range, larger more distant vistas, not necessarily the views on an immediate streetscape. CA Savaree added that she recalls over the last several years, that is the way the Commission has interpreted those sections of the General Plan when issues about public views have come up.

PP de Melo stated that staff did not analyze the average setbacks for 50% of the homes along the applicant's side of the street. He added that there are 5 lots in question, in addition to the existing lot, which would need to have that analysis. Section 9.7.4 of the Code indicates that you look from block to block on an averaging and discuss that in terms of lots where there is a variation of not more than 10' in depth.

C Frautschi stated that he believes the item will have to be continued until they have the calculations, because if they're not allowed up to 15' by your calculation then our debate is moot.

Chair Mathewson opened the Public Hearing.

Michael Nibbi, applicant, informed the Commission that the reason for the proposed project is to provide a more livable living room and a family room for his growing family. The one-car garage is now used as a play area for their children. They considered whether to go up or out. Grading problems and the retaining wall could have been avoided with a second-story addition, but neighbors were pleased that they had not decided on that option because it would block views. He also felt that since their lot is at the top of a knoll, a two-story design would look too large. Regarding parking, he stated that they currently park two cars in the street because the driveway is so steep that it is virtually impossible to get two young children in and out of car seats and keep the door open. With the proposed design his wife would park inside the garage and he would be able to park behind her.

Elizabeth Slay, 1121 Academy, stated that her only concern is a drainage problem as her home is on the lower side of the subject property, and the water collects underneath her home. The City has said she does not have a sewer or water leak but that it is caused by a drainage problem. She asked who is responsible for the retaining wall and that it should be addressed along with Mr. Nibbi's remodel. She said that the Public Works Department has referred her to the Planning Commission and that her insurance company called the City at one time and did not get an answer.

C Frautschi confirmed with CDD Ewing that the retaining wall is owned by the person on whose property it sits, and if it is located directly on the property line they both own it. CDD Ewing added that it appears that this drainage condition predates the current project. He added that it is possible that the reason Mrs. Slay has found herself frustrated with the City is that this is not something the City can deal with; it is a matter for her and her neighboring property owner to work out or a condition of her own property that she needs to address.

Mrs. Slay stated that the sewer line runs in back of both of the properties and she used to call the Public Works Department every three months to clean out the sewer line. CDD Ewing agreed to talk with the Director of Public Works so that he is aware of this and calls her directly, but it does not appear to be a part of the project before the Planning Commission. If it's the sewer line, then it is a Public Works issue. If it's a condition of Mrs. Slay's property it may be that the City has no responsibility and it is for her and her neighbor to work out.

CA Savaree, Chair Mathewson and CDD Ewing assured Mrs. Slay that they will ask the Director of Public Works to call her regarding this problem.

Vera McKeever, 107 Rose Lane, speaking on behalf of Mrs. Slay, asked why the Commission could not put a condition on Mr. Nibbi's permit that requires that he fix the situation. CDD Ewing responded that the City is bound by the rules of the State of California that they cannot condition projects on matters that are not related to the project. He has not heard anything that shows that an existing drainage problem that has been going on for a number of years is related to a future excavation. He added that the new project cannot make drainage worse, but they cannot go back and cure old problems.

Chair Mathewson reiterated that he has flagged the item and will refer it to the Public Works Director.

C Feierbach commented that she has known two other families that have had a similar problem, and the City told them to put tiles along the side to create drainage so the water could go down the street. She added for the record that it was Mrs. Slay's husband that got the money for the building where the Planning Commission meeting was taking place.

MOTION: By Commissioner Frautschi, seconded by Commissioner Feierbach, to continue the public hearing on the Single-Family Design Review to a date uncertain, to allow staff time to provide information on whether the project conforms to the front set-back provisions of section 9.7.4, or, if it does not comply, to come back with additional information related to possible variance issues.

Ayes: Frautschi, Feierbach, Gibson, Mathewson

Noes: None

Absent: Parsons, Torre, Wiecha

Motion Passed 4/0/3

C. 1531 SOLANA DRIVE – To consider a Single-Family Design Review to remodel the existing 1,941-square-foot residence and construct a new 657-square-foot addition for a total of 2,598 square feet that is below the zoning district permitted 3,500 square feet; (Appl. No. 2002-0049); APN: 045-222-180; Zoned: R1-B (Single Family Residential); CEQA Status: Exempt Per Section 15301 (E)(2); William Wirz (Applicant/Owner)

PP de Melo summarized the staff report, with one correction on page 2 in the Project Data chart to show that there is no change to the existing right side setback. Staff recommended approval subject to the conditions contained in the proposed resolution.

C Feierbach asked if there is a condition to improve the dirt driveway or do some landscaping, and why the driveway is in the back since the garage is in the front. PP de Melo responded that there is an existing driveway that services the garage, but there is a dirt area and an easement that leads up to the side portion of the property and that the applicant has not indicated any sort of plans to landscape that area.

William Wirz, applicant, stated that he has owned the house for four months and bought it as is. He had not yet made any determinations about the landscaping but will eventually hire a landscape architect to help with that.

C Mathewson opened the Public Hearing. No one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Commissioner Feierbach, to close the public hearing. Motion passed.

C Frautschi stated that he felt landscaping would greatly enhance the property's appearance and encouraged the applicant to do that.

MOTION: By Commissioner Gibson, seconded by Commissioner Frautschi, to adopt the Resolution approving the Single-Family Design Review at 1531 Solana Drive

Ayes: Gibson, Frautschi, Feierbach, Mathewson

Noes: None

Absent: Parsons, Torre, Weicha

Motion Passed 4/0/3

C Mathewson noted that the item may be appealed to the City Council within ten days.

7. OLD BUSINESS

Zoning Ordinance - Design Review/Study Session

Due to the absence of three Commissioners, this item was postponed to the next meeting.

8. NEW BUSINESS

A. Performance Budget – Study Session

CDD Ewing presented the staff report, referring to a Power Point presentation in the hands of the Commission. He noted that he was standing in for Dan Rich, Assistant City Manager, who has been spearheading a Citywide effort to reorganize how work is done in City Hall around customer service, adding that it is a substantial reform of government for a city to tackle. He explained that the goal is to organize around outputs rather than functions and gave an overview of the concept, noting that the Commission will be asked to look at and comment on the service areas of Advanced Planning and Development Services.

C Gibson asked how many staff hours are going into setting up this process. CDD Ewing responded that he does not know, except that the Assistant City Manager has spent hundreds of hours putting it together, and there is an awareness that there will be some hours spent in conducting the measurements. The benefit will be that staff has a much clearer sense of what's important in terms of their work efforts.

C Frautschi asked if the data that is collected will be used in the staff evaluation process. CDD Ewing replied that there is still some bridge-building between staff evaluations and the outcomes of this process. He expects that the most immediate effect will be on the department heads because they are the ones most closely aligned with the level that this is talking about in terms of missions and overall goals. In an attempt to determine why the department is taking on such a big man-hour project that's going to have to be monitored, C Frautschi asked how staff currently determines how well they are doing. CDD Ewing responded that he is not prepared to discuss how he is evaluated as it is not a Planning Commission responsibility – it's an issue between the department head and the City Manager and Human Resources. The reason it is being taken on is because the Council said we need to be better organized to be the best run city in the county. Dan Rich brought forward his experience in Sunnyvale, where they've been doing this sort of thing, and the Council said that that's what they wanted. C Frautschi stated that he asked the question because in all of his orientation material it makes a special point that the Commission and the Department of Planning are two totally separate entities, and he was surprised that the Commission was asked to have input on how the Department is run. CDD Ewing replied that there is a lot that Commissioners don't see in how the Department is run; that this is the overarching direction. The Commission has a role in how staff delivers services to the community in their review of projects, in the quality of staff reports that you see, and in the ability of the Commission to come to fair and expeditious decisions. So this is saying let's measure it, let's document it, let's be more specific about how happy you are with the work you're getting – that what this is about.

Commissioners responded to CDD Ewing's request for questions, comments and/or suggestions as follows:

EXHIBIT A - ADVANCE PLANNING

C Frautschi

Under Mission, suggested changing the first bulleted "How" to read "Listening to and then. assisting the community in articulating long-range visions."

Weights for 1 and 2 should be the same.

The word "charettes" is too specific to architecture and people in general will ask what it means.

Item 3, fourth line, suggested adding a comma between amendments and research reports, and the addition of a hyphen in decision-maker
Item 4, under Reason for Recommended Weight, change the word "creates" to "create."

C Feierbach

General comment, not specific to Exhibit A, is that measuring is possible if you can measure it. She feels that in this program you're taking opinions of people who are quickly filling out a survey, and then it filters to the Department Head, the City Manager, the Assistant City Manager, and then what do you do with it. How do you relate pay to performance? Pay for performance is the actual end result. What happens when budget cuts come in? She does not believe this is the right program for this city – staff is not going to have

time to do everything they have to do. CDD Ewing agreed that it is hard to transfer this kind of measurement system to something like advance planning when the payoff is so hard to connect to the work but that it works well for other departments. The City Manager is no stranger to the difficulties of connecting advanced planning to immediate outcomes and measures. But they do believe that every year the Commission and Council take on advanced planning projects and they ought to be satisfied with the work brought to them by staff, even if the options are difficult and there's no money to do a lot of the things they want to do. It systemizes the feedback and he believes the measurement effort is not overwhelming.

C Gibson

Very uncomfortable because he knows the Council has signed up for this but he's afraid we have a concept that doesn't have any meaning. There are two kinds of numbers – ranking numbers and measuring numbers. Measuring numbers work in physics but do not work in human affairs. Ranking works but measurement does not work. He's afraid that what will happen is the cause and effect will get reversed. He apologized for not being able to do the number stuff as he does not believe in it.

Chair Mathewson

Recalled when a former employer implemented a similar program, and suddenly because of all the measuring that had to go on it increased his paperwork by about 15%, and all he got for as long as it remained in place, which was about three years, was grumbling that employees didn't see the benefit and couldn't get their regular work done.

Regarding the satisfaction ratings from folks who are not really familiar with the process and come to one or two seminars, he didn't believe that their input is as valuable because they come from such an uninformed point of view in many cases. He suggested reducing that weight a bit.

Regarding the charette, he would like to be present when a charette is conducted, and suggested leaving it in just to make people think and to be able to tell if they are reading the document.

Regarding timing vs. quality, he doesn't know that advanced planning's dependence on significant public involvement makes timeliness less subject to staff control – that sentence is not something he would include.

CDD Ewing's summary of the comments were to say that leaving the word "charette" in the document passed, and unless he hears a consensus about weights or other changes it can go forward. He is prepared to indicate that the Commission has some concerns about the time necessary to complete the measurement aspect of the process and the reliability of the measurements themselves as a basis for determining the quality of the department's work.

Commissioners Mathewson and Gibson expressed their thanks for all the effort that went into preparing the plan.

EXHIBIT B, DEVELOPMENT SERVICES

Chair Mathewson pointed out that numbers 1 and 2 are reversed on the individual sheets.

C Feierbach

Sees a problem with the percent of inspections to be conducted within 24 hours for fear the quality of the inspections will not be as good as they should be in order to achieve the goal.

She wondered how detailed staff will look at things in order to meet the 60-day goal.

Regarding number 4, she would increase the weight for the satisfaction rating for staff reports to a 4. Chair Mathewson and C Frautschi agreed. She added that citizens are dissatisfied with the fact that nothing is being done about houses that have been in various stages of completion for two to four years, referring

particularly to some houses on San Juan and Monserat. Most complaints are about streets and code enforcement problems. CDD Ewing responded that this program is to measure the quality of the City staff output, not to measure the quality of private citizens' work. He added that the public needs to be educated about what the code says at the State level and about what rights a person has once they have a building permit and start construction.

Regarding number 5, investigation requests, she feels it is not just the number of requests that are responded to within one working day, it's also the quality of the response. She would increase the weight to a 4. Chair Mathewson agreed.

C Frautschi

Regarding number 6, he feels there should be a higher weight on customer satisfaction, because in the initial statement it affirms that "the customer service is the reason for being." He cannot justify giving it a 2 when that is the reason for being.

He asked CDD Ewing to explain the last part on page 2, second paragraph, last sentence "... making customer service complex measure of success." CDD Ewing explained that satisfying all the customers with competing agendas is a very complicated process

The next sentence refers to "custom products" and he wondered if it should be "customer" or "customized" products. CDD Ewing said that he mean "custom" but maybe it could be changed to "individualized."

The last sentence should be changed to read "the applicant receives a 'seamless' delivery of products and services."

On page 3, he didn't think the colloquial term "lion's share" was appropriate in a professional document and should be changed to "largest portion" or something similar.

He doesn't believe the word "etc." should be used, as it is difficult to measure an individual on "etc." He feels it should be stated specifically or left out altogether because you are measuring specifics. Could use "other duties such as..." CDD Ewing agreed to do a search for the "etc." and make appropriate changes.

On page 5, Explanation, the last sentence should read "within one working day," and in the Reason section, change City' to City's and "though is" to "though it is."

On page 6, Explanation, add a hyphen to "decision makers."

C Mathewson

Regarding item 3, he felt the timing of inspections should be reduced from a 4 to a 3.

On the overall customer satisfaction rating, it either needs to just be eliminated or be increased since that's the ultimate goal. CDD Ewing responded that it is worth keeping in mind and he asked the Commission to go back to page 1 of Development Services because the weights are not abstracts. The weights are relative and things that are all moved up to 4s now become less important or 5s and not everything can be a 5 because then there's no point in having a weight. He explained that they will be doing some customer service measures at the lower service area levels -- current planning customer service, building customer service, code enforcement customer service -- and there will be higher weights within those sub-areas. It is not as reliable a measure because it is an aggregate of a variety of surveys. He asked if there was consensus that 6 could go from a 2 to a 3, and 5 from a 3 to a 4. He will include a section in the Staff Report to Council in November that talks about the Commission's comments and include their concerns about how our focus is more on quantitative measure of timeliness than the qualitative measures of inspections and overall outcomes.

7. OLD BUSINESS: None

8. NEW BUSINESS: None

9. REPORTS, STUDIES, UPDATES, AND COMMENTS

CDD Ewing reminded the Commission that the tour with the City Council to visit 37 sites in the City is scheduled for Saturday, October 19th. Coffee will be served in Room 101 of City Hall between 8:00 and 8:30 a.m. with the bus leaving at 9:00. Reports will be delivered to the Commissioners on Wednesday, November 16th. There will be about 45 minutes for the Council and Commission to talk about their observations and see what kinds of conclusions they individually have from the tour and what consensus may develop. There will be approximately 30 seats on the bus for the public. The event should be over no later than 12:30 p.m.

Referring to the Recreation and Parks Commission Minutes of their meeting of September 4, 2002, which were included in his packet, C Frautschi read the following statement into the record: "I was very disappointed to read that the Recreation and Park Commission dropped the notion of a tree-planting program. This seems to be a shortsighted decision to me and smacks against the idea of park and the name of that Commission. The simple plan of putting in place a fund for trees and tree replacement in designated areas would have been a very worthwhile and uncomplicated endeavor and a clear illustration of where building mitigation funds for trees could and would be going. This in conjunction with education involvement of schools and community members on the values of a concerted effort to green our City could potentially enhance the community just as solidly or even more so than an art or wine festival or the Belmont Players. I would like to send a letter to the Parks and Recreation Commission and the City Council and would be willing to draft it for the Planning Commission for broader input if that is a collective desire. If not, I'll just send it from myself. The point is, I think we as a Planning Commission need stronger advocacy for where and how tree mitigation fees are and will be used. I feel sometimes I work hard to protect the City's trees, demand the mitigation fees but then can't be assured by Park and Rec. that they have a clear plan of where to put the trees the money should be purchasing. The last time this came up the response was something like, well we can't plant trees because someone will have to water them. Well, come up with a plan: volunteers, Earth Day plantings, school science or heritage projects where kids plant trees and take care of them. There's a great deal more to a park than just sitting on a bench."

C Frautschi stated that he wanted to be sure that he was clear on what he could or could not do. CDD Ewing suggested that if wanted to draft a letter it could be put on the agenda for the Commission's review at the next meeting.

10. PLANNING COMMISSION LIAISON TO CITY COUNCIL MEETING OF TUESDAY,

November 12, 2002.

Liaison: Commissioner Wiecha

Alternate Liaison: Commissioner Frautschi

RS Flores will call C Wiecha to remind her of this meeting.

11. ADJOURNMENT:

RS Flores reminded the Commission that the next meeting is on Wednesday, November 6th due to the election being held on the regular meeting day.

The meeting adjourned at 9:56 p.m. to a regular meeting on Wednesday, November 6, 2002 at 7:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

Audiotapes of Planning Commission Meetings are available for review

in the Community Development Department

Please call (650) 595-7416 to schedule an appointment.